

**FILED**


OCT 16 2018

Clerk, U S District Court  
District Of Montana  
Billings**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION****UNITED STATES OF AMERICA,****Plaintiff,****vs.****RICHARD DEAN MILLER,****Defendant.****CR 17-16-BLG-SPW****ORDER**

Upon the United States' Notice of Appeal (Interlocutory) (Doc. 52), the trial currently scheduled for November 5, 2018 is **VACATED**. This case is **STAYED** pending further notice from the Ninth Circuit Court of Appeals. For purposes of the Speedy Trial Act, any delay caused by this interlocutory appeal is excluded. 18 U.S.C. § 3161(h)(1)(C).

The Clerk of Court is directed to notify the parties of the making of this Order.

Dated this 16<sup>th</sup> day of October, 2018.

  
SUSAN P. WATTERS  
United States District Judge